

The second part of the regular meeting of the Town Assembly of the Village of Arden was held on July 8, 1985, Chairman William Press presiding.

In attendance were:

Patricia Press	Bertha W. Brooks	Mike Jaffe
Carolyn Melody	Jean K. Brachman	Barbara Fenske
Albert Marks	Leon Tanzer	Bessie Southwell
Aaron S. Hamburger	Shaul Gladstone	Ted Southwell
Virginia Shaw	Hugh Roberts	Thomas E. Colgan
Lanier Colgan	Sally Thurston	Joan W. Colgan
Rae F. Gerstine	William Bailey	Jim Semenick
John D. Hewlett	Elizabeth Varley Walker	Frank Akutowicz
Arlene Davis	Cy Liberman	Stephanie Enie
June Kleban	Connee Wright McKinney	Mary Trench
Nancy Badner	Beatrice Jaffe	Clara Dossett
Bill Press	Sue Rohrbach	John Dossett
Ruth Estes	Ron Enie	Charlotte Shedd
S. R. Moore	Molca Budin	Cecilia Vore
Greg Condiff	Barnard Brachman	Carolyn Liberman
Lee Starr	Harold Monfort	Matt O'Connor
Dane Miller	Ethel Monfort	Naomi Clark
Rowena Austin	Ruth Holcomb	Fred Smith
Mary Brent Whipple	Alida Fish	Jim Larsen
Helen Vinson	Bud Bradshaw (NV)	Dick Cecil (NV)
Ed Rohrbach	Marianne Cinaglia	Ralph E. Luker
John Austin	Don Holcomb	Jim Brooks
James Vinson	Bob Wynn (NV)	Maryellen S. Jobson

Minutes of the first half of the meeting, held on June 24, were distributed.

OLD BUSINESS

Buzz Ware Village Center Committee - Cy Liberman

We would like to make a new start tonight at presenting the heating system problem. The basic facts are these: First, the Village Center must have a new heating system. Second, time is running out. It is imperative that this meeting make some decisions to guide the committee in getting a new system installed.

Here's the background: Since the last meeting this committee has united on all but one of its opinions and presents you with a single report. As we reported earlier, we employed a heating consultant who designed a heating system for the building and prepared a drawing and specifications for obtaining bids from heating contractors. We are currently in the process of getting bids. Meanwhile, we are looking at an alternate system. We are not asking the meeting to choose between systems because we do not yet have accurate figures on what either would cost. Instead we ask you to put some trust in this committee by authorizing us to act within certain limits defined by you to select the system, contract for its installation, finance it with the help of the Wilmington Montessori Association, and to make specific changes in the cooperation agreement between the Village of Arden and the Association.

The one system on which we have a professional estimate might cost as much as \$30,000. The Village Center fund, made up



What if WMA terminates the agreement before the payments are completed? The committee needs to work with WMA to spread out the payments so we do not get caught short. The committee does not expect any new large projects needing more funds.

Amendment: The cost of the heating system shall not exceed \$30,000.

Amendment accepted by the Committee.

Bill Press asked the Assembly if they wished to use paper ballots when voting on motions concerning this controversial issue, but the majority voted against this procedure.

Motion #1 carried as amended, 51 in favor.

Motion #2. Moved that the cooperation agreement between the Wilmington Montessori Association and the Village of Arden be modified by substituting a new schedule of payments to be negotiated.

Amendment: That the Village of Arden have their own real-estate attorney present to help us draft the final agreement.

How can we add this stipulation without appropriating funds for it? Can we use Joe Rosenthal?

Amendment passed, 30 in favor.

Motion #2 carried as amended.

Motion #3. Moved that the cooperation agreement between the Wilmington Montessori Association and the Village of Arden be modified so that section 14 (f) uses in place of the phrase "150 students" the phrase "150 full time equivalent students, with no more than 180 different pupils using the building in any one day."

This motion might add 30 more cars to the daily traffic scene. Why does WMA need to make so much money by raising the student count? Marie Dugan, WMA Director, explained that WMA is a non-profit organization.

Motion carried: 31 for, 27 against.

Motion #4. Moved that the Village Center Committee be authorized to borrow up to \$5,000 from the village's various reserves, in a manner to be determined by the Advisory Committee, and use it to assist in financing a new heating system for the Village Center or for funds to match a state grant, and that an item be included in the next budget referendum to authorize the expenditure of an amount up to that total for either purpose.

Amendment: That this loan be used as the last money spent on the heating system proposed.

Amendment passed.

Motion #4 carried as amended.

Motion #5. Moved that the cooperation agreement between the Wilmington Montessori Association and the Village of Arden be modified by being extended up to 10 years in the event the asso-



of payments from the association under the cooperation agreement, contains \$9,200. Holding back \$2,500 for other needs that may come up during the year, we have \$6,700 to put into the heating system, leaving up to \$23,300 to be found elsewhere. The Montessori Association has offered to advance \$18,500 under certain conditions to be negotiated. That would still leave a maximum of \$4,800 to be found.

We propose the following course of action:

First, when the bids on the recommended system come in, we will discuss with the contractors the possibility of using the alternate and possibly less expensive system.

Second, we will then, if you authorize us to take this action, decide which system to use.

Next comes the financing. We ask the meeting to authorize us to borrow from town reserves up to \$5,000 and use it for the heating system or as matching funds toward a State grant and to put an item in the fall budget referendum to authorize the expenditure of up to that amount for those purposes. The money would not be used for the heating system unless absolutely necessary.

In return for the amount up to \$18,500 we plan to seek from the Association, that group will expect some changes in the cooperation agreement as we explained at the June 24 meeting. This committee has agreed these changes should be no more than the following:

1. To extend the agreement for 10 years with details to be worked out on termination notices by both the Village and the Association.
2. A revision in the payment schedule to be negotiated.
3. New wording on the student limit to use the phrase "150 full time equivalent students" but specifying that no more than 180 students use the building in any one day.
4. A two-year trial of a two-week summer camp with a maximum of 70 children to be followed by an evaluation by the committee and the association in September 1987.

### Discussion:

Has the subject of the energy efficiency of the building been addressed? Why not create a sinking fund to be used to make the building more energy efficient? The committee would prefer to take on that subject at a later time since the current problem is a pressing one.

Isn't Montessori responsible for the lack of money in the maintenance fund? They should have been paying in more all along. They would have to pay a higher rental anywhere else in the area; most schools pay a per classroom rental fee.

This is not a rental arrangement but a cooperative agreement, Arden has joint use of the building. WMA and the BWVC Committee are equally responsible for not anticipating the need for a higher maintenance fund. WMA not only contributes to the fund but carries the operating cost of the building. That amounted to \$20,000 from 7/83-7/84.

Motion #1.. Moved that the Buzz Ware Village Center Committee be authorized to select a new heating system for the Village Center and contract to have it installed.

The BWVC Committee was polled and found unanimous in their agreement on the need for the following first 5 motions. They were divided on motion #6.

-WMA would make an advance payment of \$18,000 with \$15,000 to be put in later.



ciation advances \$18,500 for a new heating system for the Village Center, and that the BWVC Committee be authorized to negotiate revised termination notice provisions with termination to be initiated by either party.

Couldn't we add a clause giving the town the opportunity to take back the building in 2 years if we come up with a plan for community use?

Amendment: That the terms of the termination agreement be equal between Montessori and the Village of Arden.

Amendment passed.

Amendment: The main motion shall read "ten years after the expiration of the present agreement."

The purpose of this amendment is clarification. The 10 year extension is to added to the existing term of the agreement.

Amendment passed.

Motion #5 passed as amended.

Motion #6. Moved that the cooperation agreement be modified to permit the association to hold a two-week summer camp on a trial basis in 1986 and 1987, with a maximum of 70 children, and that an evaluation be made by the association and the committee and reported to the town meeting in September 1987. If the town's evaluation is negative there will be no further summer camp.

Motion #6 defeated; 23 aye, 30 nay.

Moved to allow a one-year summer camp by the Wilmington Montessori Association in the last two weeks in August.

Motion defeated; 24 aye, 29 nay.

#### YMCA Rezoning Opposition - Cecilia Vore for Community Planning

As instructed by the March Town Meeting, members of the committee, along with the Chairman of the Town Assembly, have been attending all appropriate meetings to oppose intensive development of the YMCA property at Harvey Rd. and I-95. The Trustees have also been actively involved.

Since March there has been no further official action from the developer; he has not submitted a revised plan to the Planning Department nor has there been a request for re-zoning. However, while we are waiting for the developer to make the next move, representatives of the Ardens and Windybush have been active. On April 1 a letter was sent to Nicholas Baldini opposing his proposed re-zoning. On April 19 a letter was sent to John Davis in the Department of Planning outlining the planning considerations against the development. Cy Liberman has also written to David McMillan, chairman of the YMCA Board of Directors, which is the main force behind the townhouse development.

At the suggestion of Wayne Grafton, the Director of Planning for New Castle County, a delegation from the 3 Ardens and Windybush met with him to present our concerns. Cecilia Vore attended the meeting on Tuesday, July 2 for Arden. We presented the following position, which we developed at a meeting on June 18:



We would, of course prefer to keep the property as is, with perhaps future use as parkland or by a church or a school. Outside of these possibilities, our position is as follows:

#### REGARDING DENSITY:

1. R-1-B (15,000 sq ft/dwelling unit) is appropriate zoning and is consistent with the actual size of the average lots in the surrounding communities.
2. We should preserve the character of Harvey Rd.
3. There should be no development west of the streambed.

#### REGARDING ENVIRONMENTAL VALUES:

1. The site is one of the last remaining open spaces in the area and requires careful preservation.
2. The site is important in stabilizing runoff and preventing the flooding of existing downstream homesites.
3. The site is valuable as part of a larger and rare natural area that includes the Arden Woods, Sherwood Forest and the Ardencroft woodlands.

In addition to these comments, each community presented its own specific objections and suggestions. The representative from Arden proposed the alternative of clustered housing: By clustering dwellings at the total for appropriate zoning, most of the green space, forest, and stream beds on the site could be preserved and traffic generation minimized.

Mr. Grafton stressed that the planning department does not recommend Mr. Baldini's current proposal, and suggested that we meet either with Baldini or a representative of the YMCA to try to influence the plan before it gets to the re-zoning stage. He believes that R-1-B zoning is unrealistic and that the best we can expect is zoning that is the same as Arden, R-1-CC, or 10,000 sq. ft./dwelling unit. He agreed that clustering was a means of preserving the natural qualities of the site. Using a hypothetical R-1-CC zoning then, the site could expect to hold between 72 and 90 units. He pointed out that townhouses generate less traffic than detached homes.

Representatives of the 4 communities are planning to meet this Wednesday night to discuss a possible meeting with the developer or the Y.

Several other actions are being taken in the surrounding communities to oppose intensive townhouse development. A letter writing campaign is underway in Windybush, and both Windybush and Ardencroft are pursuing a boycott of Patterson-Schwartz. In addition, the Ardencroft Town Meeting on May 16 authorized the expenditure of up to \$2,000 "to retain a lawyer with the best appropriate background in zoning matters." They are hoping that the other Ardens and Windybush will contribute similar amounts. However, it is the feeling of the committee that, at this stage, grassroots community action is much more effective than any legal advice. We do not recommend any allocation of funds for legal services at this time.

We do urge all interested residents to write letters to the people who seem to hold the decision-making power: David McMillan, the chairman of the YMCA Board of Directors; Richard Cecil, Councilman, New Castle County Council; and Wayne Grafton of the Planning Department. The committee prepared an information sheet on letter writing that was distributed with the June Arden Page to all 3



Ardens. This is a simple, but very effective way of influencing the planning process. There is evidence that if we write enough letters and voice our opposition loudly enough, we will be able to stop intensive development of the YMCA property.

We also have pre-addressed postcards and pens available for anyone who would like to write a note tonight.

Community Planning Committee agreed to postpone the Harvey Rd. Report until the September meeting.

#### NEW BUSINESS

##### Community Planning Committee - Cecilia Vore

The committee has decided not to proceed with the Memorial Garden project. Although Arden got a Summer Youth Employment Grant, the committee could get no one to supervise the youth. The project would require a huge amount of volunteer time. It would be more realistic to hire a general contractor who has workman's compensation and no need for supervision. All suggestions about the Memorial Garden project should be directed to the Civic Committee who has all the plans.

Some disappointment was expressed that Arden would not be using the Summer Youth Employment grant as they have for the past two summers.

##### Playground Committee - Larry Walker

Moved that the Playground Committee should explore the possibility of installing new playground equipment on the Arden Greens.  
Approximately two pieces may be placed on each Green and located in areas where they would not diminish the open effect of the Greens.

It was suggested that the committee check with the parents of very young children for ideas. New benches would be a good idea.

Motion passed.

Meeting adjourned.

Minutes for this meeting were taken by Mary Brent Whipple and transcribed by Sarah Hamburger, Secretary.

*Sarah W. Hamburger*